

REMARKS

This paper is in reply to the Office Action dated November 14, 2006. In this paper, Applicant has amended claims 1, 3, 5 and 7-8, canceled claim 4, and added new claims 9-18. Claims 1-3 and 5-18 are pending. Reconsideration of the application, as amended, is requested.

The title has been amended to more accurately reflect the claims.

The Claims

The pending claims are directed to various methods of making multi-layered plastic wrap. In general, the claims now are more in-line with the issued claims of the parent application, now U.S. Patent No. 6,692,805.

Each of independent claims 1, 7 and 8 has been amended to recite that the method includes using a base resin of ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS (styrene-isoprene-styrene) and rosin ester. The method also includes using HDPE (high density polyethylene) as the second polyolefin.

Overall, the claimed methods provide a multi-layered film having a first layer comprising a first polyolefin and an antiblocking agent, a second layer comprising HDPE, and a third layer comprising ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS (styrene-isoprene-styrene) and rosin ester.

Claims 2-3 and 5-6 depend from claim 1. Claims 14-18 depend from claim 7. Claims 9-13 depend from claim 8.

112 Rejection

Claim 5 was rejected under 35 U.S.C. 112, second paragraph. Claim 5 has been amended to correct its dependency, rendering this rejection moot.

103 Rejections

Claims 1-3 and 6-8 were rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,299,966 to Bonke et al. in view of U.S. Patent No. 6,602,454 to McGuire et al.

Claims 4-5 were rejected under 35 U.S.C. 103(a) as unpatentable over Bonke et al. in view of McGuire et al. and further in view of U.S. Patent No. 5,141,809 to Arvedson et al. and U.S. Patent No. 5,085,927 to Dohrer.

Applicant disagrees with these rejections.

As summarized above, the pending claims are directed to methods of making multi-layered films, the films having a first layer comprising a first polyolefin and an antiblocking agent, a second layer comprising HDPE, and a third layer comprising ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS (styrene-isoprene-styrene) and rosin ester. None of Bonke et al., McGuire et al., Arvedson et al., Dohrer, nor their combination, discloses or suggests the pending claims.

Bonke et al. provides a multi-layered cling wrap film that has a core polyolefin (e.g., LDPE) layer and polypropylene outer layers, which could include a tackifier and/or anti-blocking agent. Bonke et al. does not teach or suggest using HDPE at all, much less in the second (e.g., core layer), nor does Bonke et al. teach or suggest using ethylene methyl acrylate or ethylene vinyl acetate and a tackifier, much less, that the tackifier is SIS and rosin ester.

McGuire et al. teaches that chilled embossing rolls can be used. McGuire et al. does not provide the missing materials from Bonke et al.

At least for these reasons, Bonke et al. combined with McGuire et al. does not teach or suggest the pending claims, and withdrawal of that rejection is requested.

Similarly, neither Arvedson et al. nor Dohrer provides the missing elements that can be combined with Bonke et al. and McGuire et al.

Arvedson et al. teaches a film that has a cling layer of ethylene and acrylate or vinyl acetate and tackifier, which could be a rosin ester. A non-cling layer can be present, which includes a polyolefin such as LDPE or polypropylene and antiblocking agent, but it is without tackifier. Arvedson et al. is still lacking elements that are lacking from the combination of Bonke et al. with McGuire et al., for example, such as having a film that has the layer comprising polyolefin and an antiblocking agent combined with a second layer comprising HDPE, and a third layer comprising ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS and rosin ester. Arvedson et al. discusses that the use of high density

polyethylene materials have been previously used in certain films, although Arvedson et al. does not acknowledge that HDPE could be used in the films of that invention.

Arvedson et al. is lacking, at least, the three layered film, that one layer comprises HDPE, and that the tackifier includes both SIS and rosin ester.

Regarding antiblocking agents, Arvedson et al. does list silica and talc as suitable antiblocking agents, but it does not recognize the use of calcium carbonate.

Dohrer provides a three layered film, the first layer having polyethylene and tackifier (including SIS), a second layer of polyolefin (e.g., LDPE), and a third layer of polyolefin (e.g., polypropylene + HDPE) and antiblocking agent. Even if SIS were added to the tackifier of Arvedson et al., the result would be a film that has a cling layer of ethylene and acrylate or vinyl acetate and tackifier, which could be SIS plus a rosin ester, and a non-cling layer of HDPE and polypropylene and antiblocking agent. Dohrer also adds a center LDPE layer.

This combination still is lacking, at least, a three layered film having a second layer of HDPE. In fact, the entire combination of Bonke et al., McGuire et al., Arvedson et al., and Dohrer does not teach or suggest a multilayer film having the three layers as recited by the pending claims.

Withdrawal of this rejection is requested.

Claims 1-3 and 6-8 were rejected under 35 U.S.C. 103(a) as unpatentable over Arvedson et al. in view of McGuire et al. and U.S. Patent No. 5,399,426 to Koch et al.

Claims 4-5 were rejected under 35 U.S.C. 103(a) as unpatentable over Arvedson et al. in view of McGuire and Koch et al. and further in view of Dohrer.

Applicant disagrees with these rejections.

Arvedson et al. and McGuire et al., their teachings and lackings, have been discussed above. Arvedson et al. teaches a film that has a cling layer of ethylene and acrylate or vinyl acetate and tackifier, which could be a rosin ester, and a non-cling layer, which includes a polyolefin such as LDPE or polypropylene and antiblocking agent. McGuire et al. teaches that chilled embossing rolls can be used. Arvedson et al. and McGuire et al. are still lacking, for example, having a film that has the layer comprising polyolefin and an antiblocking agent combined with a second layer

comprising HDPE, and a third layer comprising ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS and rosin ester.

Koch et al. provides three layer extrusion, of materials such as LDPE. With Koch et al. added to Arvedson et al. and McGuire et al., still lacking are a film that has the layer comprising polyolefin and an antiblocking agent combined with a second layer comprising HDPE, and a third layer comprising ethylene methyl acrylate or ethylene vinyl acetate and a tackifier comprising SIS and rosin ester.

At least for these reasons, Arvedson et al. combined with McGuire et al. and with Koch et al. does not teach or suggest the pending claims, and withdrawal of that rejection is requested.

Similarly, Dohrer does not provide the missing elements that can be combined with Arvedson et al. and McGuire et al., and Koch et al.

Dohrer is added for SIS with the tackifier. As discussed above, even with the combination of the four references, the actual structure made by the methods of the pending claims is still not suggested. Withdrawal of this rejection is requested.

Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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